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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/001,643	12/31/1997	RUSS L. ALBERT	1431/USW0391	6919

22193 7590 11/21/2001

QWEST COMMUNICATIONS INTERNATIONAL INC
LAW DEPT INTELLECTUAL PROPERTY GROUP
1801 CALIFORNIA STREET, SUITE 3800
DENVER, CO 80202

EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2176

17

DATE MAILED: 11/21/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

HG

138

Office Action Summary	Application No.	Applicant(s)	
	09/001,643	ALBERT ET AL.	
	Examiner	Art Unit	
	Cong-Lac Huynh	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment after final filed on 11/6/01 to the application filed on 12/31/97.
2. Claims 1-12 are pending in the case. Claims 1 and 8 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-4, 6-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anand et al. (US Pat No. 5,710,900, 1/20/98) in view of Peters et al. (US Pat No. 5,884,284, 3/16/99).

Regarding independent claim 1, Anand discloses:

- a host site connected to at least one user computer terminal via an on-line interconnection, said host site comprising a database for storing the sale information and inventory information, and a processor terminal connected to the on-line interconnection for receiving a user report request and sending reports created in response to the received requests and additional on-line user input (col 1, lines 5-7, 54-67; col 2, lines 1-4; col 2, lines 14-25, 31-34, 39-41; col 9, lines 16-32; col 6, lines 43-67; col 7, lines 1-13, figures 6, 10-11)
- a view manager arranged to generate a set of function commands which can be selectively launched by user input to graphically display a list of available views each of which contains a report relating to particular user information stored in a database, create a new view and report, and edit a view and report (col 2, lines 14-25, 31-34, 39-41, figures 6, 10-11)

Anand fails to disclose the database containing the user billing.

Peters discloses:

- generating a set of function commands which can be selectively launched by user input to graphically display a list of available views each of which contains a

report relating to a particular user information stored in a database, create a new view and report, and edit a view and report (col 6, lines 4-16; col 8, lines 37-53)

- a data manager arranged to relate data maintained *independently from the host site* and input by a user with the user's billing and inventory data for display as part of a request report (col 6, lines 13-32, the data maintained is the *data record to track office equipments, individual converters as well as dwellings serviced for subscribers*)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have recognized that said data is maintained independently from the host database and user input, and is related to the user's billing and inventory data for display as part of the report since the tracking data is used to track the service expenses, not the service itself, which is data for counting the billing.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Peters to Anand. As disclosed by Anand, the database of *inventory information* that allows a user to access *to create and edit a report* relating to a particular user information in the database and the database disclosed in Peters comprises *billing and account information database*, which is one type of database, that allows the creating of billing report over telecommunications. The combination of these two would allow generating a report of billing and inventory information stored in said database as well as the tracking data of services used by users relating to user billing and inventory data displayed in the report.

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Regarding claim 2, which is dependent on claim 1, the fact that the Smart Report Viewing subsystem allows the user to format text, tables, and graphs in the report as well as add the footer, annotations to the report implies that the view editor receives and implements user editing instructions (disclosed in claim 1).

Regarding claim 3, the system of Anand includes a graphical user interface for the user to interact with the system.

Regarding claim 4, Anand discloses the aggregating method such as add, average, min, max, count to disclose the change in the Smart Report (col 17, lines 65-67; col 18, lines 1-50). Anand also discloses the drill down command (col 9, lines 16-32, col 10, lines 50-67).

Regarding claim 6, the system of Anand and Peters comprises an Internet connection and web browser.

Regarding claim 7, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have known that the graphical user interface comprises Java applets and HTML page.

Claims 8-11 are the method for generating an on-line report performed on the system of claims 1-4, therefore rejected under the same rationale.

6. Claims 5, 12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anand and Peters as applied to claims 1 and 8 above, and further in view of Melchione et al. (US Pat No. 5,930,764, 7/27/99).

Regarding claim 5, which is dependent on claim 1, Anand and Peter do not disclose that the report filter is arranged to receive user define value for use as threshold value to selectively control which database information will be included in a report. Melchione discloses the three-tier-hierarchy provides the "key" at each of the household, customer, and customer levels that satisfy user criteria for queries, views, and reports (col 16, lines 45-64). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Melchione into Anand and Peters because Melchione provides the criteria as a threshold to select which data from the database to be included in the report.

Claim 12 is the method to be performed on the system of claim 5, and therefore rejected under the same rationale.

Response to Arguments

7. Applicant's arguments filed 11/6/01 have been fully considered but they are not persuasive.

Applicants argue that neither Anand nor Peters teach or suggest "relate data maintained independently from the host database and input by the user with the user's billing and inventory data for display as part of a requested report." Applicants point out that the password and ID information in Peters are not maintained independently from the host site. Instead said passwords and Ids are wholly creatures of the host cable service provider.

Examiner agrees.

However, Peters also teach that the data maintained is the *data record to track office equipments, individual converters as well as dwellings serviced for subscribers* (col 6, lines 13-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have recognized that said data is maintained independently from the host database and user input, and is related to the user's billing and inventory data for display as part of the report since the tracking data is used to track the service expenses, not the service itself, which is data for counting the billing.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is (703) 305-0432. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. The fax number to this Art Unit is (703) 308-9731.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-7240 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

clh

11/16/01


STEPHEN S. HONG
PRIMARY EXAMINER